

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA                          )  
    )  
    )  
v.    )         Cr. No. 14-10075-DJC  
    )  
    )  
KEYON A. TAYLOR                                    )  
a/k/a "Key"    )  
    )  
Defendant.    )

GOVERNMENT'S AMENDMENT TO ITS  
REQUEST FOR JURY INSTRUCTIONS

The United States of America, by Carmen M. Ortiz, United States Attorney for the District of Massachusetts, pursuant to Fed. R. Cr. P. 30, submits the following amended jury instruction with respect to Count Two of the Indictment, charging the defendant with Assault on a Federal Employee.

**ASSAULT ON A FEDERAL EMPLOYEE – 18 U.S.C. § 111(a)(1) & (b)**

Title 18, United States Code, Section 111 provides in part:

“Whoever forcibly assaults, resists, opposes, impedes, intimidates, or interferes with any person designated in section 1114 of this title while engaged in or on account of the performance of official duties, shall [be punished] . . .

Title 18, United States Code, Section 1114 designates the following individuals:

“any officer or employee of the United States or any agency in any branch of the United States Government. . .”

To sustain its burden of proof on Count Two, which charges the defendants with assault on a federal employee, the government must prove the following three essential elements beyond a reasonable doubt:

One: defendant forcibly assaulted, resisted, opposed, impeded, or interfered with the victim;

Two: at the time the victim was an employee of the United States; and

Three: defendant did so while the victim was engaged in, or on account of the performance of his official duties.

If you determine that the defendant committed an assault of federal employee as I have instructed, you must further determine whether the assault involved the use of a deadly or dangerous weapon or resulted in bodily injury to the victim.

Title 18, United States Code, Section 111(b), also provides in part:

“Whoever, in the commission of an assault on a federal employee, uses a deadly or dangerous weapon . . . or inflicts bodily injury, shall [be punished.]”

To sustain its burden of proof in this respect, the government must prove the three essential elements of assault on a federal employee (repeat), and further prove one or both of the following additional elements beyond a reasonable doubt:

One: defendant inflicted bodily injury upon the victim; or

Two: defendant, in the commission of an assault of a federal employee, used a deadly or

dangerous weapon.

**DANGEROUS WEAPON**  
**Definition**

The term “dangerous weapon” means any weapon, device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury.<sup>1</sup>

**BODILY INJURY**  
**Defined**

The term “bodily injury” means a cut, abrasion, bruise, burn, or disfigurement, or any other injury to the body, no matter how temporary.

Respectfully submitted,

CARMEN M. ORTIZ  
United States Attorney

By: /s/ William F. Bloomer  
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<sup>1</sup> 18 U.S.C. § 930(g).

Certificate of Service

I hereby certify that this document(s) filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants.

Dated: March 5, 2015

*/s/ William F. Bloomer*  
WILLIAM F. BLOOMER

